

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**TONY HAWKINS and SHEILA
HAWKINS**

PLAINTIFFS

v.

No. 3:13-cv-210-DPM

BANK OF AMERICA NA

DEFENDANT

ORDER

Bank of America's motion to dismiss, *No 5*, is denied without prejudice. The original service is quashed. The Court will see if the Hawkinses' prompt efforts to correct the acknowledged deficiencies in the summons and service of process succeed. *Marshall v. Warwick*, 155 F.3d 1027, 1032-33 (8th Cir. 1998).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

16 October 2013